

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

JASON WIMBERLY,

Plaintiff,

-against-

NY COMMUNITY FINANCIAL, LLC,

Defendant.

24-cv-7547 (AS)

ORDER

ARUN SUBRAMANIAN, United States District Judge:

As defendant NY Community Financial has filed a motion to dismiss plaintiff Jason Wimberly's amended complaint, *see* Dkt. 73, NY Community Financial's motion to dismiss Wimberly's initial complaint is DENIED as moot, *see* Dkt. 34. Additionally, given Wimberly's amendment of his complaint and NY Community Financial's pending motion to dismiss, Wimberly's motion for summary judgment, *see* Dkt. 50, is DENIED without prejudice to reinstatement. Wimberly may make his application again to the Court following the Court's decision on the pending motion to dismiss.

The Clerk of Court is directed to terminate the motions at Dkts. 34 and 50.

SO ORDERED.

Dated: July 16, 2025

New York, New York



ARUN SUBRAMANIAN  
United States District Judge